



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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December 11, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
DOCKWEILER STATE BEACH YOUTH CENTER PROJECT
APPROVE REVISED PROJECT BUDGET
AWARD CONSTRUCTION CONTRACT
AWARD SUPPLEMENTAL AGREEMENT
SPECS. 6597; C.P. 69222
(FOURTH DISTRICT) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the revised project budget of \$6,414,286 for the Dockweiler State Beach Youth Center project.
2. Find that Morrissey Construction Company is the apparent Lowest Responsive and Responsible Bidder; and award a construction contract to Morrissey Construction Company in the amount of \$4,071,100 for the Dockweiler State Beach Youth Center project, funded by the General Fund, State Proposition 12 Grant Funds, and the Vehicle License Fee Gap Loan Special Fund, subject to the satisfactory and timely completion by the contractor of a baseline construction schedule for the project and receipt by the Department of Public Works of acceptable and approved Faithful Performance and Labor and Materials Bonds and insurance certificates filed by the contractor.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

3. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid documents, whether the contractor has satisfied the conditions for contract award; and subject to that determination, authorize the Director of Public Works to execute the construction contract, in the form previously approved by County Counsel, with Morrissey Construction Company and to establish the effective contract date.
4. Award and authorize the Director of Public Works to execute Supplemental Agreement 6 with Randall Stout Architects to provide additional architectural/engineering services for a not-to-exceed fee of \$132,000.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

Approval of the recommended actions will allow the Department of Public Works (Public Works) to proceed with construction of the Dockweiler State Beach Youth Center project.

The project consists of the construction of a new 8,800-square-foot building to accommodate the Department of Beaches and Harbors' (Beaches and Harbors) Water Awareness, Training, Education, and Recreation (WATER) youth program. The WATER youth program provides opportunities for inner city and at-risk children to increase their awareness of ocean and beach safety through organized activities that provide skills, knowledge, and positive personal experiences. Beaches and Harbors anticipates an initial 15 percent increase in youth participation in the WATER youth program.

The new youth center will be constructed along the beach bluff and adjacent to the existing concession and restroom building at the southern portion of Dockweiler State Beach, just south of Imperial Highway on Vista del Mar. It will include a multipurpose classroom, warming kitchen, storage for beach vehicles and program equipment, and administrative offices for management of the expanding program. When not in use by WATER, portions of the facility will be made available to the community for meetings and other special events during non-peak periods of the year.

Construction Contract Award

On March 6, 2007, your Board adopted plans and specifications at an estimated construction cost of \$4,095,000, and authorized advertising for construction bids. On April 12, 2007, eight bids were received. After CTP Construction, Inc. withdrew its bid

of \$4,253,000 citing clerical error in preparation of its bid pursuant to Public Contract Code Sections 5101 and 5103, Gonzales Construction, with a total bid of \$4,792,003, was the apparent Lowest Responsive and Responsible Bidder. However, prior to the award of the construction contract, Public Works discovered several discrepancies in the bid documents that potentially had significant cost implications. As a result, Public Works determined that it would be preferable to recommend that all bids be rejected and that the Board adopt and advertise revised plans and specifications in which the discrepancies were corrected.

On September 4, 2007, your Board rejected all bids received on April 12, 2007, adopted revised plans and specifications, and authorized readvertising for construction bids. On October 10, 2007, nine bids were received. Morrissey Construction Company, with a total bid of \$4,075,000 (inclusive of \$3,900 for development of a baseline construction schedule), is the apparent Lowest Responsive and Responsible Bidder (as defined in the FACTS AND PROVISIONS/LEGAL REQUIREMENTS Section of this letter). Morrissey Construction Company's bid is consistent with Public Works' independent construction estimate of \$4,095,000. Therefore, we are recommending award of a construction contract to Morrissey Construction Company.

The readvertising of the project resulted in a more favorable bid price for the County as compared to the original bid process. Morrissey Construction Company's bid of \$4,075,000 is \$717,003 less than the bid of \$4,792,003 by the apparent Lowest Responsive Bidder (Gonzales Construction) during the first bid solicitation.

Consultant Services Supplemental Agreement

On November 4, 2003, your Board awarded an agreement to Randall Stout Architects to provide design, consultant, and construction administration services for the project for a not-to-exceed fee of \$193,050. Since that time, five supplemental agreements have been awarded to Randall Stout Architects for additional design services, increasing the total contract value to \$241,305. Based on the final project scope and current project schedule, the construction duration has been extended by four months. The recommended supplemental agreement for \$132,000 will reestablish and increase the allocation for Randall Stout Architects' construction administration services to cover the extended 12-month construction duration and will provide a contingency for any additional/reimbursable services requested and approved by Public Works for the remainder of the project. The recommended supplemental agreement for \$132,000 will increase Randall Stout Architects' total contract amount to \$373,305.

Sustainable Design Program

The project will support your Board's Sustainable Design Program by utilizing construction materials and finishes with recycled content that were selected to reduce ongoing maintenance and extend the useful life of the facility, by using energy-efficient equipment and features to optimize the energy performance of the facility, by taking advantage of the abundant natural lighting to reduce the need for artificial light in the facility, by using operable windows for natural ventilation to provide a healthy work environment, and by incorporating an on-site underground infiltration system to capture and percolate the stormwater runoff generated by the facility to enhance the sustainability of the site.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs that we provide Children and Families' Well-Being (Goal 5) by providing affordable professionally supervised aquatic activities for youth after school and during the summer and holidays, which the Dockweiler Youth Center will allow for, particularly for children in the southern area of the County. The new youth center will also support the Countywide Strategic Plan Goal of Fiscal Responsibility (Goal 4) by making portions of the facility available for permitted private use when the facility is not in use by the County, generating projected revenues of \$50,000 per year. The California Coastal Commission has approved such use from the day after Labor Day to the day before Memorial Day.

FISCAL IMPACT/FINANCING

The recommended construction contract with Morrissey Construction Company is for \$4,071,100. The total project cost, including plans and specifications, plan check, construction, equipment/utility connection fees, consultant services, miscellaneous expenditures, and County services, is currently estimated at \$6,414,286, which is \$1,614,286 more than the previously approved project budget of \$4,800,000. The increase includes \$132,000 to award the Randall Stout Supplemental Agreement, \$885,636 to award the construction contract based on the bid received, an additional \$88,564 in change order allowance, \$50,000 for telecommunications, security, and audio/visual systems to be installed by Internal Services Department, \$6,675 for consultant services, \$26,000 in miscellaneous expenditures, \$65,000 for unforeseen site conditions and \$399,631 for County Services and a reduction in Design Contingency of \$(-39,220). The Project Schedule and Budget Summary are included in Attachment A.

Sufficient appropriation is available in the Fiscal Year 2007-08 Capital Projects/Refurbishments Budget to fully fund the revised project budget. The project is being funded by \$3,000,000 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (State Proposition 12), \$1,615,000 in Net County cost, and \$1,800,000 from the Vehicle License Fee Gap Loan Special Fund.

Operating Budget Impact

Following completion of the project, scheduled for April 2009, Beaches and Harbors anticipates estimated one-time start-up costs of \$251,000 for equipment, furnishings, and appliances; and an increase of \$359,000 in annual ongoing operating costs for staffing, supplies, leased office machines, service contracts (janitorial and security services), utilities and maintenance costs, and additional Fire Ocean Lifeguard services.

Funding for the one-time and ongoing costs will be requested in Beaches and Harbors' Fiscal Year 2008-09 Proposed Budget Request and will be reviewed by the Chief Executive Office.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Applicable law, including the State Public Contract Code, requires that when the County exercises its discretion to award a construction contract, the County award to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the bid with the lowest cost; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

A standard construction contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses that provide for contract termination, renegotiation, and hiring qualified displaced County employees will be included.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, Morrissey Construction Company is willing to consider Greater Avenues for Independence (GAIN) and General Relief Opportunity for Work (GROW) program participants for future employment.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135 (Safely Surrendered Baby Law) and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

Morrissey Construction Company is in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

ENVIRONMENTAL DOCUMENTATION

On March 6, 2007, pursuant to the California Environmental Quality Act, your Board adopted an addendum to the Mitigated Negative Declaration and Mitigation Monitoring Program for the Dockweiler State Beach General Plan Amendment.

CONTRACTING PROCESS

As noted above, on September 4, 2007, your Board rejected all previous bids, adopted the revised bid documents, and authorized readvertising for bids based on the revised documents. On October 10, 2007, nine bids were received. Morrissey Construction Company, with a total bid of \$4,075,000 (inclusive of \$3,900 for development of a baseline construction schedule), is the apparent Lowest Responsive and Responsible Bidder. Morrissey Construction Company's bid is consistent with Public Works' independent construction estimate of \$4,095,000. Therefore, we are recommending that your Board award the construction contract to Morrissey Construction Company in the amount of \$4,071,100, which was established by deducting the \$3,900 for preparation of the baseline construction schedule from the amount of its lump sum bid of \$4,075,000.

In connection with the re-bid process, on October 17, 2007, another bidder, Gonzales Construction, submitted a protest letter requesting that the County find Morrissey Construction Company to be "non-responsive" to the submittal requirements of the Dockweiler Youth Center project. After carefully reviewing and evaluating the contentions made by Gonzales Construction, we determined that Morrissey

Construction Company's bid is responsive to the material requirements of the invitation for bids and is in compliance with the applicable provisions of the Public Contract Code. On November 1, 2007, we advised Gonzales Construction in writing of this determination and further advised that we intended to recommend to your Board that Morrissey Construction Company be awarded the construction contract for this project as the lowest responsive bidder contingent on its preparation of a satisfactory baseline construction schedule and satisfaction of all conditions for contract award in accordance with the applicable contract and bid documents.

Execution of the construction contract is subject to the satisfactory and timely completion by the contractor of a baseline construction schedule and receipt by the Public Works of acceptable and approved Faithful Performance and Labor and Materials Bonds and insurance certificates filed by the contractor.

As requested by your Board on February 3, 1998, this contract opportunity was listed on the Doing Business with Us website as shown in Attachment C.

Morrissey Construction Company's Community Business Enterprise participation data and 3-year contracting history with the County are on file with Public Works.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

During construction, scheduled to begin in January 2008, there will be certain beach use limitations. However, construction will be scheduled to maintain a substantial level of service and access to the beach. Temporary facilities for public use will be provided during construction as required.

The Honorable Board of Supervisors
December 11, 2007
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CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office (Capital Projects Division), one to Beaches and Harbors, and one to Public Works (Project Management Division I).

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DLW:DL
JSE:DJT:SW

Attachments (3)

c: County Counsel
Office of Affirmative Action Compliance (Ozzie Smith)
Department of Public Social Services (GAIN/GROW Program)

December 11, 2007

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS: DOCKWEILER STATE BEACH
YOUTH CENTER PROJECT
APPROVE REVISED PROJECT BUDGET
AWARD CONSTRUCTION CONTRACT
AWARD SUPPLEMENTAL AGREEMENT
SPECS. 6597; C.P. 69222**

I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date
Award Design Contract	11/04/03*
Execute Design Contract	11/24/03*
Schematic Design	03/25/04*
Design Development	06/04/04*
Construction Documents	12/22/05*
Jurisdictional Approvals	12/11/06*
Construction Contract Award	12/11/07
Construction Start	01/21/08
Substantial Completion	04/17/09
Final Acceptance	06/17/09

* Actual completion date.

II. PROJECT BUDGET SUMMARY

Budget Category	Board-Approved Project Budget	Impact of this Action	Revised Project Budget
Plans and Specifications			
Basic Design Services	\$ 185,329	\$ 0	\$ 185,329
Construction Administration	8,252	92,066	100,318
Additional/Reimbursable Services	<u>47,724</u>	<u>39,934</u>	<u>87,658</u>
Total A/E Contract	\$ 241,305	\$ 132,000	\$ 373,305
Design Contingency	\$ 39,220	\$ (39,220)	\$ 0
Plan Check	\$ 25,000	\$ 0	\$ 25,000
Construction			
Construction Contract*	\$3,189,364	\$ 885,636	\$4,075,000
Change Order Allowance	318,936	88,564	407,500
Utility Connection Fees	<u>50,000</u>	<u>0</u>	<u>50,000</u>
Total Construction	<u>\$3,558,300</u>	<u>\$ 974,200</u>	<u>\$4,532,500</u>
Equipment	\$ 25,000	\$ 50,000	\$ 75,000
Other Consultant Services	\$ 198,445	\$ 6,675	\$ 205,120
Miscellaneous Expenditures	\$ 8,000	\$ 26,000	\$ 34,000
Unforeseen Site Conditions	N/A	\$ 65,000	\$ 65,000
County Services	\$ 704,730	\$ 399,631	\$1,104,361
TOTAL	\$4,800,000	\$1,614,286	\$6,414,286

* Includes \$3,900 Consultant Agreement for a baseline construction schedule.

December 11, 2007

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS: DOCKWEILER STATE BEACH
YOUTH CENTER PROJECT
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BID SUMMARY

Description of Project:

The project consists of the construction of a new 8,800-square-foot building to accommodate the Department of Beaches and Harbors' Water Awareness, Training, Education, and Recreation (WATER) youth program. The new youth center will include a multipurpose classroom, warming kitchen, storage for beach vehicles and program equipment, and administration offices for management of the expanding program. When not in use by WATER, the facility will be made available to the community for meetings and other special events during nonpeak periods of the year.

Bid Opening Date: October 10, 2007

Fair Construction Cost Estimate: \$4,095,000

Bid Summary:

Contractor's Name	Lump Sum Bid
Morrissey Construction Company	\$ 4,075,000
Trimax Construction	\$ 4,285,000
Gonzales Construction	\$ 4,409,888
USS Cal Builders Inc.	\$ 4,478,000
Metro Builders & Engineers	\$ 4,545,200
Tower General Contracting	\$ 4,630,000
Mepco Services	\$ 4,680,000
Hanan Construction	\$5,185,000
G2000 Construction	\$ 5,199,000

December 11, 2007

ATTACHMENT C

**DEPARTMENT OF PUBLIC WORKS: DOCKWEILER STATE BEACH
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AWARD SUPPLEMENTAL AGREEMENT
SPECS. 6597; C.P. 69222**

DOING BUSINESS WITH US WEBSITE

Bid Solicitation

Bid Number : Specs. No. 6597R1

Bid Title : DOCKWEILER YOUTH CENTER RE-BID--REQUEST FOR BIDS

Bid Type : Construction

Department : Public Works

Commodity : CONSTRUCTION SERVICE, GENERAL (DIGGING, DITCHING, ROAD GRADING, ROCK STABILIZATION, ETC.)

Open Date : 9/11/2007

Closing Date : 10/10/2007 10:45 AM

Bid Amount : N/A

Bid Download : Not Available

Bid Description : THIS PROJECT IS A RE-BID. This project consists of constructing a new approximately 8,800-square-foot building to accommodate Beaches and Harbors Water Awareness, Training, Education, and Recreation (WATER) youth program, including a multipurpose classroom, warming kitchen, storage for beach vehicles and program equipment, and administration offices. The project requires an A or B license classification at time of bid. Copies of the plans and specifications can be obtained at 900 South Fremont Avenue, Alhambra, CA 91803 for a nonrefundable fee of \$50.00. Bids are due no later than 10:45 a.m. Bids will be opened at 11:00 a.m. on this date.

Amendment Date : 10/4/2007 A Notice to Bidders A was issued on October 4, 2007, clarifying certain portions of the project manual and drawings.

Contact Name : Kathleen Gandara

Contact Phone# : (626) 458-2566

Contact Email : kgandara@dpw.lacounty.gov

Last Changed On : 9/11/2007 5:41:45 PM